

FRIDAY, JANUARY 16, 1998

Civil HOSSAM BUZGHEIA
No. vs.
C017627 LEASCO SIERRA GROVE ET AL.

By the Court:

Respondent's petition for rehearing is denied.

Dated: January 16, 1998

NICHOLSON, Acting P.J.

Juvenile: INA O. (Not for Publication)

No. vs.

C028119 SUPERIOR COURT OF SACRAMENTO COUNTY
DEPARTMENT OF HEALTH & HUMAN SERVICES, ET AL.

The petition is denied. The request for stay is denied as moot.

BLEASE, Acting P.J.

We concur: RAYE, J.

MORRISON, J.

Crim. THE PEOPLE (Not for Publication)

No. vs.

C027046 ROBERT DALE CROSS

The judgment is affirmed.

MORRISON, J.

We concur: BLEASE, Acting P.J.

RAYE, J.

FRIDAY, JANUARY 16, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026446 MICHAEL WILLIAM GUILFORD

The judgment is affirmed.

MORRISON, J.

We concur: BLEASE, Acting P.J.
RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025917 ESTEBAN RODRIGUEZ

The trial court shall amend the abstract of judgment to strike the section 23190 enhancement and impose a concurrent 30-day term for the section 14601.2 offense, and forward the amended abstract to the Department of Corrections. The judgment is affirmed.

DAVIS, Acting P.J.

We concur: RAYE, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025873 MARION JOSEPH D'AVY, III

The judgment is affirmed.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.
NICHOLSON, J.

Juvenile: MARTHA H. (Not for Publication)
No. vs.
C028115 SUPERIOR COURT OF BUTTE COUNTY
CHILDREN'S SERVICES DIVISION

The petition is denied.

BLEASE, Acting P.J.

We concur: RAYE, J.
MORRISON, J.

FRIDAY, JANUARY 16, 1998

Civil CITY OF ADELANTO ET AL. (Not for Publication)
No. vs.
C020857 DEPARTMENT OF CORRECTIONS

The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
 SCOTLAND, J.

TUESDAY, JANUARY 20, 1998

At 9:29 a.m., the court met in the Library & Courts Building to begin its court calendar session.

PRESENT: BLEASE, Acting Presiding Justice
 SIMS, Associate Justice
 RAYE, Associate Justice

Bailiff Palmer.
Calendar called.

Civil TROY BARBONE
No. vs.
C025541 STATE OF CALIFORNIA

Cause called. Gerald J. Adler, of The Crow Law Firm argued for Plaintiff-Appellant. James M. Schiavenza , Deputy Attorney General argued for Defendant-Respondent with additional citations. Cause submitted.

Civil CATHLIN FELDMAN
No. vs.
C024935 SQUAW VALLEY STABLES INC. ET AL.

Cause called. Elizabeth E. Bader argued for Plaintiff-Appellant. Jack C. Nick, of Prindle, Decker & Amaro argued for Defendants-Respondents. Cause submitted.

At 10:25 a.m., court recessed. At 10:25 a.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Scotland and Associate Justice Nicholson.

TUESDAY, JANUARY 20, 1998 CONTINUED

Civil THE PEOPLE
No. vs.
C025327 HAROLD WAYNE BUNNELL

Cause called. Laura Schaefer, court appointed counsel argued for Defendant-Appellant. Raymond Brosterhous, III, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 10:36 a.m., court recessed. At 10:37 a.m., court reconvened with the same panel except Associate Justice Davis in place of Associate Justice Nicholson.

Civil PROFESSIONAL ENGINEERS ETC. ET AL.
No. vs.
C023360 PETE WILSON, AS GOVERNOR ETC. ET AL.

Cause called. Karen Leaf, Deputy Attorney General argued for Defendants-Appellants-X-Respondents. Loren E. McMaster argued for Plaintiffs-Respondents-X-Appellants. Cause submitted. (Consolidated with C023368)

Civil CALIFORNIA STATE EMPLOYEES ETC. ET AL.
No. vs.
C023368 PETE WILSON, AS GOVERNOR ETC ET AL.

Cause called. Karen Leaf, Deputy Attorney General argued for Defendants-Respondents. Harry J. Gibbons, of California State Employees Association argued for Plaintiffs-Appellants. Cause submitted. (Consolidated with C023360)

At 11:34 a.m., court recessed. At 1:57 p.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Sims and Associate Justice Raye.

Civil KEN BROWN ET AL.
No. vs.
C025823 EDWIN B. JONES, JR., ET AL.

Cause called. Darryll Alvey argued for Plaintiffs-Appellants. Jack Kenealy appeared on behalf of Plaintiffs-Appellants but did not argue. Thomas N. Andrews, of Fitzpatrick & Andrews argued for Defendants-Respondents. Cause submitted.

TUESDAY, JANUARY 20, 1998 CONTINUED

At 2:13 p.m., court recessed. At 2:15 p.m., court reconvened with the same panel except Associate Justice Scotland in place of Associate Justice Raye.

Crim. THE PEOPLE
No. vs.
C025433 STUART COREY CRANE

Cause called. Deborah Tuttelman, court appointed counsel argued for Defendant-Appellant with additional citations. Virna DePaul-Meyers, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 2:29 p.m., court recessed. At 2:29 p.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Raye and Associate Justice Callahan.

Crim. THE PEOPLE
No. vs.
C020653 KERRY LEMONTE RODGERS

Cause called. Stephen Greenberg, court appointed counsel argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

TUESDAY, JANUARY 20, 1998 CONTINUED

Civil AL FRANK AKINS ET AL.
No. vs.
C015891 THE PEOPLE ET AL.

Cause called. David De Alba, Deputy Attorney General argued for Defendant-Appellant People. David S. Worthington, of Hardy, Erich, Brown and Wilson argued for Defendant-Appellant Reclamation District. Thomas N. Cooper, of Downey, Brand, Seymour & Rohwer argued for Defendant-Appellant American River. Richard F. Desmond, of Desmond, Miller & Desmond argued for Plaintiffs-Respondents. David Collins, of Gordon & Rees argued for Plaintiffs-Respondents. William E. Dopkins, III, of Dopkins & Rolfe appeared on behalf of Plaintiff-Respondent but did not argue. Lloyd Hinkelman, of Kronick, Moskovitz, Tiedemann & Girard appeared on behalf of Plaintiff-Respondents but did not argue. Richard M. Frank, Senior Assistant Attorney General appeared for Amicus Curiae for Appellant. Cause submitted.

Court adjourned at 4:10 p.m., until 9:30 a.m., Wednesday, January 21, 1998.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025000 JAMES ALVA DEVLIN

The judgment is affirmed.

MORRISON, J.

We concur: PUGLIA, P.J.
 DAVIS, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024568 GARY OTTO MEYER

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
 MORRISON, J.

TUESDAY, JANUARY 20, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025181 ROGER PARKER

The judgment is affirmed.

DAVIS, Acting P.J.

We concur: RAYE, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025604 SUSAN MARIE BECK

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024163 JOHN D. GANN

The judgment is modified by striking the third and fifth prior serious felony conviction findings, which are based on defendant's prior convictions for assault with a deadly weapon. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment to reflect this modification and to send a copy of the amended abstract to the Department of Corrections.

SCOTLAND, J.

We concur: PUGLIA, P.J.
SIMS, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026164 RICHARD VINCENT ROOD

The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
DAVIS, J.

WEDNESDAY, JANUARY 21, 1998

At 9:30 a.m., the court met in the Library and Courts Building for a continuance of its regular appeals calendar.

PRESENT: PUGLIA, Presiding Justice
BLEASE, Associate Justice
CALLAHAN, Associate Justice

Bailiff Conrad.
Calendar called.

Civil SUTTER BUTTES SAVINGS BANK
No. vs.
C025634 THOMAS P. FRIERY ET AL.

Cause called. Robert W. Dillon, of Dillon & Rodgers argued for Defendants-X-Comps-Appellants. Mark A. Doughty argued for Plaintiff-X-Defendant-Respondent. Cause submitted.

At 10:02 a.m. court recessed. At 10:05 a.m., court reconvened with the same panel except Associate Justice Davis in place of Associate Justice Callahan.

Civil RALPH MCCULLOCH
No. vs.
C021863 CALIFORNIA DEPARTMENT OF WATER RESOURCES

Cause called. Richard L. Manford, Deputy Attorney General argued for Defendant-Appellant with additional citations. Carlos M. Alcala, of Alcala & Velez argued for Plaintiff-Respondent. Cause submitted.

At 10:40 a.m., court recessed. At 10:43 a.m., court reconvened with the same panel except Associate Justice Raye in place of Associate Justice Davis.

WEDNESDAY, JANUARY 21, 1998 CONTINUED

Civil STEPHEN ROBERTS ET AL.
No. vs.

C023085 GARY J. DRISCOLL ET AL.

C023427 Cause called. George E. Murphy, of Farmer & Murphy argued for Plaintiffs-X-Defendants-Appellants with additional citations. Gary M. Caylor argued for Defendant-X-Comp-Respondent. Larry Montgomery argued for Defendants-X-Comps-Respondents. Cause submitted.

At 11:00 a.m., court recessed. At 11:02 a.m., court reconvened with Presiding Justice Puglia, Associate Justice Davis, Associate Justice Nicholson.

Crim. THE PEOPLE
No. vs.

C025094 WILLIAM RHODES ET AL.

Cause called. Lisa Menze, Deputy Attorney General argued for Plaintiff-Appellant. Catherine Campbell, court appointed counsel argued for Defendants-Respondents. Cause submitted.

At 11:34 a.m., court recessed. At 2:02 p.m., court reconvened with Presiding Justice Puglia, Associate Justice Blease and Associate Justice Callahan.

Civil SONIA L. SALCEDO
No. vs.

C025216 JOHN VON BURG

Cause called. Thomas M. Hagler, of Hagler & Nelson argued for Plaintiff-Appellant. Charity Kenton, of Diepenbrock, Wulff, Plant & Hannegan argued for Defendant-Respondent. Cause submitted.

At 2:20 p.m., court recessed. At 2:24 p.m., court reconvened with Presiding Justice Puglia, Associate Justice Blease and Associate Justice Callahan.

WEDNESDAY, JANUARY 21, 1998 CONTINUED

Civil JHONATHON OLIVER ET AL., MINORS, ETC.
No. vs.
C025142 CITY OF SACRAMENTO

Cause called. Jason A. Krestoff argued for Plaintiffs-Appellants.
Shana S. Faber, Deputy City Attorney argued for Defendant-Respondent.
Cause submitted.

At 2:43 p.m., court recessed. At 2:45 p.m. court reconvened with
Presiding Justice Puglia, Associate Justice Raye and Associate Justice
Morrison.

Crim. THE PEOPLE
No. vs.
C021206 JOSE ANTONIO PUGLISI

Cause called. Stewart Katz argued for Defendant-Appellant. R.
Todd Marshall, Deputy Attorney General argued for Plaintiff-Respondent.
Cause submitted.

Court recessed at 2:51 p.m. until 9:30 a.m., Thursday, January 22,
1998.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026961 BOBBY LEE CHAPPELL

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: RAYE, J.
MORRISON, J.

THURSDAY, JANUARY 22, 1998

At 9:30 a.m., court met in the Library and Courts Building for a continuance of its regular appeals calendar.

PRESENT: SIMS, Acting Presiding Justice
SCOTLAND, Associate Justice
NICHOLSON, Associate Justice

Bailiff Jones.
Calendar called.

Crim. THE PEOPLE
No. vs.
C024631 JOHNAHAN D. SCHMUCH ET AL.

Cause called. Hill C. Snellings, of Blackmon & Snellings argued for Defendants-Appellants. W. Scott Thorpe, Supervising Deputy Attorney argued for Plaintiff-Respondent. Cause submitted.

Court recessed at 10:06 a.m. until 9:30 a.m., Friday, January 23, 1998.

Civil GHANSHYAN PATEL ET AL
No. vs.
C025518 RULOBO ENTERPRISES, INC.

By the Court:

Appellants' petition for rehearing is granted. The order of dismissal filed on December 24, 1997, is vacated and the appeal is reinstated.

Respondent's brief is due to be served and filed on or before February 23, 1998.

Dated: January 22, 1998

PUGLIA, P.J.

THURSDAY, JANUARY 22, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026130 CLINT WAYNE WARDLOW
The judgment is affirmed.
SCOTLAND, J.
We concur: PUGLIA, P.J.
BLEASE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C027417 LARRY EDWARD BAILEY
The judgment is affirmed.
NICHOLSON, J.
We concur: PUGLIA, P.J.
SIMS, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026081 ARTNEALIOUS CORTEZ BRADFORD
The judgment is affirmed.
NICHOLSON, J.
We concur: BLEASE, Acting P.J.
SCOTLAND, J.

FRIDAY, JANUARY 23, 1998

At 9:30 a.m., court met in the Library and Courts Building for a continuance of its regular appeals calendar.

PRESENT: PUGLIA, Presiding Justice
SIMS, Associate Justice
CALLAHAN, Associate Justice
Bailiff Conrad.
Calendar called.

FRIDAY, JANUARY 23, 1998 CONTINUED

Civil IN RE MICHAEL F.
No. THE PEOPLE
C024340 vs.
 MICHAEL F.

Cause called. James Joseph Lynch argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

At 9:39 a.m., court recessed. At 9:41 a.m. court reconvened with Presiding Justice Puglia, Associate Justice Blease and Associate Justice Callahan.

Civil BYRON H. ROYCE ET AL.
No. vs.
C025856 CITY OF ORLAND ET AL.

Cause called. Joseph Wells Ellinwood argued for Plaintiffs-Appellants. Thomas N. Andrews, of Fitzpatrick & Andrews argued for Defendants-Respondents. Cause submitted.

Court recessed at 10:10 a.m. until 9:30 a.m., Monday, January 26, 1998.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024036 JAMES ALBERT PARVIN, III

The judgment is affirmed.

SCOTLAND, J.

We concur: BLEASE, Acting P.J.

FRIDAY JANUARY 23, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024458 IRA LEE SWANSON

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect defendant's two stricken drug-related conviction enhancements and his three stricken prison term enhancements and to send a copy of the amended abstract of judgment to the Department of Corrections.

DAVIS, J.

We concur: SIMS, Acting P.J.
SCOTLAND, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025715 TRENT AUSTIN HILLMAN

The judgment is modified to (1) impose a term of one year for the second section 667.5, subdivision (b) prior prison term enhancement and stay execution of that term pursuant to section 1170.1, subdivision (h), the stay to become permanent upon the completion of the unstayed sentence, and (2) impose a section 1202.45 restitution fine of \$800 and suspend that fine unless defendant's parole is revoked. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment to reflect these modifications, to separately state both restitution fines, and to show that defendant received 60 days of conduct credit.

SCOTLAND, Acting P.J.

We concur: NICHOLSON, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025851 KEVIN TOWNER

The judgment is affirmed.

NICHOLSON, J.

We concur: BLEASE, Acting P.J.
SCOTLAND, J.

FRIDAY, JANUARY 23, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C023888 VINCENT LASALLE EDWARDS

The judgment is modified by striking the order for reimbursement of attorney fees. As so modified, the judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C027011 GINA RENEE HACKNEY

The judgment is affirmed.

NICHOLSON, J.

We concur: PUGLIA, P.J.
SIMS, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025162 CHARLES LAMONT TURNER

The judgment is affirmed. The superior court is directed to correct the abstract of judgment to reflect defendant's conviction on count four was for the crime of forcible oral copulation pursuant to section 288a, subdivision (c), of the Penal Code. The superior court is directed to send a copy of the corrected abstract of judgment to the Department of Corrections.

NICHOLSON, J.

We concur: PUGLIA, P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026237 DOROTHY MAY MCNEILL

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
RAYE, J.

FRIDAY, JANUARY 23, 1998, CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024776 RANDY A. SANDERSON

The judgment is affirmed.

NICHOLSON, J.

We concur: SIMS, Acting P.J.
 CALLAHAN, J.

Juvenile In re ALONDRA LEE G., A Person coming under the Juvenile Court Law
No. THE PEOPLE (Not for Publication)
C026899 vs.

ALONDRA LEE G.

The judgment is affirmed.

NICHOLSON, J.

We concur: PUGLIA, P.J.
 SIMS, J.

Juvenile In re JASON B., A Person coming under the Juvenile Court Law
No. THE PEOPLE (Not for Publication)
C027171 vs.

JASON B.

The judgment is affirmed.

SIMS, J.

We concur: PUGLIA, P.J.
 NICHOLSON, J.

Juvenile In re RYAN F., A Person coming under the Juvenile Court Law
No. THE PEOPLE (Not for Publication)
C026012 vs.

RYAN F.

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
 CALLAHAN, J.

MONDAY, JANUARY 26, 1998

At 9:30 a.m., court met in the Library and Courts Building for a continuance of its regular appeals calendar.

PRESENT: PUGLIA, Presiding Justice
SCOTLAND, Associate Justice
MORRISON, Associate Justice

Bailiff Jones.
Calendar called.

Juvenile IN RE BENJAMIN H.
No. THE PEOPLE
C025540 vs.
BENJAMIN H.

Cause called. Shelley Federgreen, court appointed counsel argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

At 9:36 a.m., court recessed. At 9:37 a.m., court reconvened with the same panel except Associate Justice Blease in place of Associate Justice Morrison.

Crim. THE PEOPLE
No. vs.
C025043 ROGER DALE MITCHELL

Cause called. Susan Stackhouse, court appointed counsel argued for Defendant-Appellant. George M. Hendrickson, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 9:51 a.m., court recessed. At 9:53 a.m., court reconvened with Presiding Justice Puglia, Associate Justice Davis and Associate Justice Nicholson.

MONDAY JANUARY 26, 1998 CONTINUED

Juvenile PAUL E.
No. vs.
C027884 SUPERIOR COURT, PLACER COUNTY
 DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.

Cause called. Maribeth Halloran argued for the Petitioner. Jo A. McCormack, Deputy County Counsel and James R. Yeo argued for Real Party in Interest D.H.H.S.. Cause submitted.

At 10:45 a.m., court recessed. At 2:00 p.m., court reconvened with Acting Presiding Justice Davis, Associate Justice Scotland and Associate Justice Morrison.

Civil IN RE MARRIAGE OF PERRY
No. CANDYCE PERRY
C020115 vs.
C022068 JOHN D. PERRY

MARY JANE SCHNEPF

Cause called. Hugh O. Allen argued for the Objector-Appellant. Roderick L. MacKenzie argued for Respondent Candyce Perry with additional citations.. April Maynard argued for Respondent John D. Perry Jr.. Larry P. and John M. Sinclair argued for John D. Perry. Cause submitted.

Court recessed at 2:37 p.m. until 9:30 a.m., Tuesday, January 27, 1998.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C021198 NORMAN WHITEHORN

The judgment is affirmed.

MORRISON, J.

We concur: PUGLIA, P.J.
 SCOTLAND, J.

MONDAY, JANUARY 26, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C023595 JERRY THOMAS CRIADO

The judgment is affirmed.

MORRISON, J.

We concur: PUGLIA, P.J.
SCOTLAND, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024289 LANCE M. HAGERTY

The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
CALLAHAN, J.

TUESDAY, JANUARY 27, 1998

At 9:30 a.m., court met in the Library and Courts Building for a continuance of its regular appeals calendar.

PRESENT: SCOTLAND, Acting Presiding Justice
NICHOLSON, Associate Justice
RAYE, Associate Justice

Bailiff Palmer.
Calendar called.

Crim. THE PEOPLE
No. vs.
C022365 ALLAN STEVE BENNETT

Cause called. Janice Lagerlof, court appointed counsel argued for Defendant-Appellant. David A. Rhodes, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

TUESDAY, JANUARY 27, 1998 CONTINUED

At 9:54 a.m., court recessed. At 10:00 a.m., court reconvened with Acting Presiding Justice Nicholson, Associate Justice Morrison and Associate Justice Callahan..

Crim. THE PEOPLE
No. vs.
C025684 WILLIAM EARL ROGERS

Cause called. Oliver J. Northup, court appointed counsel argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

At 10:21 a.m., court recessed. At 10:22 a.m., court reconvened with Acting Presiding Justice Nicholson, Associate Justice Morrison and Associate Justice Callahan..

Civil CINDY TERESI
No. vs.
C024729 CREATIVE FRONTIERS ELEMENTARY ETC. ET AL.

Cause called. Catherine M. Corfee, of Cook, Brown, Rediger & Prager argued for Defendants-Appellants-X-Respondents. James E. Mesnier appeared on behalf of Defendants-Appellants-X-Respondents but did not argue. No appearance was made on behalf of Plaintiff-Respondent-X-Appellant. Cause submitted.

At 10:35 a.m., court recessed. At 10:39 a.m., court reconvened with Acting Presiding Justice Davis, Associate Justice Raye and Associate Justice Callahan.

Civil ESTATE OF BLACKWELL
No. CHARLES BLACKWELL
C023860 vs.
GEORGIA IRVING ET AL.

Cause called. Kimball J. P. Sargeant argued for Petitioner-Appellant. Robert J. Granucci argued for Objectors-Respondents Georgia Irving et al. No appearance was made on behalf of Objector-Respondent Carolyn Young etc. Cause submitted.

TUESDAY, JANUARY 27, 1998 CONTINUED

At 11:16 a.m., court recessed. At 2:00 p.m., court reconvened with Acting Presiding Justice Nicholson, Associate Justice Morrison and Associate Justice Callahan.

Civil JACQUELINE F. WILLIAMS
No. vs.
C024070 MERCY GENERAL HOSPITAL ET AL.

Cause called. Jacqueline F. Williams argued for Herself in pro per as Plaintiff-Appellant. John Quincy Brown, III, of Hardy, Erich, Brown & Wilson argued for Defendants-Respondents Capital Nephrology et al. Kenneth L. Swensen, of Duncan, Ball, Evans & Ubaldi argued for Defendant-Respondent Mercy General Hospital with additional citations. Cause submitted.

Crim. THE PEOPLE
No. vs.
C025606 GONZALO ACUNA

Cause called. Tami J. Buscho, court appointed counsel argued for Defendant-Appellant. Robert D. Marshall, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 2:25 p.m., court recessed. At 2:30 p.m., court reconvened with the same panel except Acting Presiding Justice Blease in place of Acting Presiding Justice Nicholson.

Crim. THE PEOPLE
No. vs.
C025023 MICHAEL ANDRE TODD ET AL.

Cause called. Stephen Greenberg, court appointed counsel argued for Defendant-Appellant Kenneth Ray Buffer. No appearance was made on behalf of Defendant-Appellant Michael Andre Todd. Harry Joseph Colombo, Supervising Deputy Attorney General argued for Plaintiff-Respondent.

TUESDAY, JANUARY 27, 1998 CONTINUED

At 2:30 p.m., court recessed. At 2:52 p.m., court reconvened with Presiding Justice Puglia, Associate Justice Davis and Associate Justice Morrison.

Civil CALIFORNIANS FOR POLITICAL REFORM ETC.
No. vs.
C026314 FAIR POLITICAL PRACTICES COMMISSION

Cause called. Steven G. Churchwell, General Counsel argued for Defendant-Appellant. Deborah Allison, General Counsel appeared on behalf of Defendant-Appellant but did not argue. Charles H. Bell, Jr. argued for Amici Curiae. Tony Miller argued for Plaintiff-Respondent. Cause submitted.

Court adjourned at 3:30 p.m., until 9:30 a.m., Tuesday, February 17, 1998.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025600 ANTHONY ANGELO ARCEO

The judgment is affirmed.

SIMS, Acting P.J.

We concur: DAVIS, J.
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025602 MAURICE M. LARRY

The order of probation is modified to direct that the defendant pay \$50 for the cost of criminal laboratory analysis pursuant to Health and Safety Code Section 11372.5. As so modified, the judgment (order of probation) is affirmed.

BLEASE, Acting P.J.

We concur: SCOTLAND, J.
 NICHOLSON, J.

TUESDAY, JANUARY 27, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024298 TINA M. WHITE

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025785 JUAN CEJA GONZALEZ

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025619 DAVID BERNARD BLANKS

The judgment is affirmed.

NICHOLSON, J.

We concur: MORRISON, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024631 JONATHAN D. SCHMUCH ET AL.

The judgment is reversed.

SIMS, Acting P.J.

We concur: SCOTLAND, J.
NICHOLSON, J.

TUESDAY, JANUARY 27, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025583 MICHAEL GRAMATA

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026733 DONALD JAMES ROSS

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

Civil ACME LIFT TRUCKS, INC. (Not for Publication)
No. vs.
C026263 JOHN DEGRAAF ET AL.

The judgment is affirmed. Acme shall receive its costs on appeal.
SIMS, J.

We concur: BLEASE, Acting P.J.
NICHOLSON, J.

Civil THOMAS P. FRIERY, ET AL. (Not for Publication)
No. vs.
C025634 SUTTER BUTTES SAVINGS BANK

The judgment is affirmed.

CALLAHAN, J.

We concur: PUGLIA, P.J.
BLEASE, J.

TUESDAY, JANUARY 27, 1998 CONTINUED

Juvenile
No. C026780 In re KELSEY D., ET AL., Persons coming under the Juvenile Court Law
SUTTER COUNTY DEPARTMENT OF HUMAN SERVICES
vs. (Not for Publication)
MERRI D.
The orders appealed from are affirmed.
SIMS,
We concur: DAVIS, J.
RAYE, J.

WEDNESDAY, JANUARY 28, 1998

Crim.
No. C026409 THE PEOPLE (Not for Publication)
vs.
KENNETH RAY EWING
The judgment is affirmed.
PUGLIA, P.J.
We concur: DAVIS, J.
NICHOLSON, J.

Crim.
No. C025922 THE PEOPLE (Not for Publication)
vs.
JEANNETTE MARIE TURNER
The judgment is affirmed.
MORRISON, J.
We concur: DAVIS, Acting P.J.
CALLAHAN, J.

Crim.
No. C026997 THE PEOPLE (Not for Publication)
vs.
MATTHEW WILLIAM UNDERHILL
The judgment is affirmed.
PUGLIA, P.J.
We concur: SIMS, J.
NICHOLSON, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026677 STEVEN GROVER DARROUGH

The judgment is affirmed.

PUGLIA, P.J.

We concur: SIMS, J.
NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024977 ALFORD LEE COKER

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: RAYE, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026293 GARY EUGENE KUKES

The appeal is dismissed.

SCOTLAND, Acting P.J.

We concur: NICHOLSON, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025737 WAYNE LEMAN

The judgment is affirmed.

MORRISON, J.

We concur: NICHOLSON, Acting P.J.
CALLAHAN, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024868 JEANINE M. CARTER

The judgment is affirmed.

PUGLIA, P.J.

I concur: SCOTLAND, J.

I concur in the result: BLEASE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025433 STUART COREY CRANE

The judgment is affirmed.

SCOTLAND, J.

We concur: BLEASE, Acting P.J.
SIMS, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025312 ERIC ANTHONY GRANT

The judgment is affirmed.

SCOTLAND, Acting P.J.

We concur: NICHOLSON, J.
CALLAHAN, J..

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026042 JOHN EDWARD GAVIN, III

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.
CALLAHAN, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025622 BRUCE EDWARD FEIN

The judgment is affirmed.

PUGLIA, P.J.

We concur: SIMS, J.
RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024487 JOSE FELIPE ZAPATA

The judgment is affirmed.

PUGLIA, P.J.

We concur: DAVIS, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025449 OWEN DEAN MOBLEY

The judgment is affirmed.

MORRISON, J.

We concur: DAVIS, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024202 ENRIQUE GONZALES HERNANDEZ

The judgment is affirmed.

PUGLIA, P.J.

We concur: BLEASE, J.
SCOTLAND, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026052 FLOYD LINBERGH RANKIN, JR.

The judgment is affirmed.

PUGLIA, P.J.

We concur: DAVIS, J.
NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026830 JAMES TODD POLLOCK

Counts two and three of case No.PR000354 and the section 12022.7 allegation in case No. PR000353 are dismissed. In all other respects, the judgment is affirmed.

MORRISON, J.

We concur: BLEASE, Acting P.J.
RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025250 JAMES ANTONIO OVERSTREET

The trial court is directed to prepare and forward to the Department of Corrections a certified copy of a corrected abstract of judgment. The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
DAVIS, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024688 DANIEL JOSEPH WANGEN

The judgment is modified to strike the \$2,000 restitution fine imposed pursuant to section 1202.45. As modified, the judgment is affirmed. The superior court is instructed to prepare a corrected abstract of judgment and send a certified copy of the same to the Department of Corrections.

PUGLIA, P.J.

We concur: DAVIS, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025843 SERGIO SABALSA FARIAS

The January 22, 1997, order denying the motion to reinstate the complaint is reversed, and the matter is remanded to the trial court for further proceedings consistent with this opinion.

SIMS, Acting P.J.

We concur: DAVIS, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C020653 KERRY LEMONTE RODGERS

The judgment is affirmed. The trial court is directed to amend the abstract of judgment in accordance with this opinion and to send a copy of the amended abstract to the Department of Corrections.

RAYE, J.

We concur: SIMS, Acting P.J.
CALLAHAN, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026384 RAUL GOMEZ GARCIA

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect defendant's convictions were for violation of Penal Code section 273a, subdivision (1) and to forward a copy of the amended abstract to the Department of Corrections.

PUGLIA, P.J.

We concur: DAVIS, J.
NICHOLSON, J.

Crim. THE PEOPLE (Certified for Publication)
No. vs.
C025094 WILLIAM RHODES ET AL.

The judgment (order) is reversed, and the matter is remanded to the trial court with directions to deny both petitions for writ of habeas corpus. The stay previously issued is vacated.

PUGLIA, P.J.

We concur: DAVIS, J.
NICHOLSON, J.

Civil CALIFORNIA STATE AUTOMOBILE ASSOCIATION
No. vs. (Not for Publication)
C026040 HELEN PARRISH

The judgment is affirmed.

MORRISON, J.

We concur: NICHOLSON, Acting P.J.
CALLAHAN, J.

Civil STOCKTON MORTGAGE, INC. (Not for Publication)
No. vs.
C025745 ANTOINETTE M. DEE ET AL.

The judgment is reversed and the matter remanded for issuance of a statement of decision and further proceedings according to law. The parties shall bear their own costs.

PUGLIA, P.J.

We concur: BLEASE, J.
SCOTLAND, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Civil JHONATHON OLIVER ET AL., MINORS, ETC.
No. vs. (Not for Publication)
C025142 CITY OF SACRAMENTO

The judgment is affirmed.

PUGLIA, P.J.

We concur: NICHOLSON, J.
CALLAHAN, J.

Civil PAULETTE HALLIDAY ET AL. (Not for Publication)
No. vs.
C024863 MARY P. THOMAS ET AL.

The order denying arbitration is affirmed.

MORRISON, J.

We concur: DAVIS, Acting P.J.
RAYE, J.

Civil BYRON H. ROYCE ET AL. (Not for Publication)
No. vs.
C025856 CITY OF ORLAND ET AL.

The judgment (order) is affirmed.

BLEASE, J.

We concur: PUGLIA, P.J.
CALLAHAN, J.

Civil STANLEY JANZEN (deceased) ET AL. (Not for Publication)
No. vs.
C024918 WORKERS' COMPENSATION APPEALS BOARD ET AL.

The order of the Board on reconsideration is annulled and the matter remanded for further proceedings consistent with the views expressed in this opinion. Petitioner shall recover her costs of this proceedings.

PUGLIA, J.

We concur: BLEASE, J.
RAYE, J.

WEDNESDAY, JANUARY 28, 1998 CONTINUED

Civil CATHLIN FELDMAN (Not for Publication)
No. vs.
C024935 SQUAW VALLEY STABLES, INC. ET AL.
 The judgment is affirmed.
 BLEASE. Acting P.J.
We concur: SIMS, J.
 RAYE, J.

Civil KEN BROWN AND SHELIA BROWN (Not for Publication)
No. vs.
C025823 EDWIN B. JONES, JR. AND PAULA J. JONES
 The judgment is reversed. Appellants shall recover their costs on
 appeal.
 RAYE, J.
We concur: BLEASE, Acting P.J.
 SIMS, J.

Civil TROY BARBONE (Not for Publication)
No. vs.
C025541 STATE OF CALIFORNIA
 The judgment is affirmed.
 RAYE, J.
We concur: BLEASE, Acting P.J.
 SIMS, J.

Civil AL FRANK AKINS ET AL. (Certified for Publication)
No. vs.
C015891 THE STATE OF CALIFORNIA ET AL.
 The judgment is reversed and the case remanded for proceedings
 consistent with this opinion. The parties shall bear their own costs on
 appeal.
 SIMS, Acting P.J.
We concur: DAVIS, J.
 CALLAHAN, J.

WEDNESDAY, JANUARY 28, 1998

Juvenile No. C028201 SHEILA V. (Not for Publication)
vs.
SUPERIOR COURT OF SACRAMENTO COUNTY.
SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES ET AL.
The petition is denied. The request for stay is denied as moot.
PUGLIA, P.J.

We concur: SIMS, J.
NICHOLSON, J.

Juvenile No. C027884 PAUL E. (Not for Publication)
vs.
SUPERIOR COURT OF PLACER COUNTY
PLACER COUNTY DEPARTMENT OF HEALTH AND HUMAN
SERVICES ET AL.
The petition is denied and the stay dissolved.
PUGLIA, P.J.

We concur: DAVIS, J.
NICHOLSON, J.

Juvenile No. C024340 In re MICHAEL F. A person coming under the Juvenile Court Law
THE PEOPLE (Not for Publication)
vs.
MICHAEL F.
The judgment is affirmed.
PUGLIA, P.J.

We concur: SIMS, J.
CALLAHAN, J.

Civil No. C025856 BYRON H. ROYCE ET AL. (Not for Publication)
vs.
CITY OF ORLAND ET AL.
The judgment (order) is affirmed.
BLEASE, J.

We concur: PUGLIA, P.J.
CALLAHAN, J.

THURSDAY, JANUARY 29, 1998

Civil SONIA L. SALCEDO (Not for Publication)
No. vs.
C025216 JOHN VON BURG

The judgment is affirmed.

CALLAHAN, J.

I concur: BLEASE, J.

I concur in the judgment and the opinion of the court with the exception of the dictum that “there is sufficient evidence [with respect to the 1992 events] to withstand summary judgment that Von Burg created a ‘hostile, offensive, oppressive, oppressive, or intimidating working environment’ for plaintiff based on sex.”.....

PUGLIA, P.J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025936 KELVIN RICHARD STONER

The judgment is affirmed.

CALLAHAN, J.

We concur: DAVIS, Acting P.J.
 MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C022365 ALLAN STEVE BENNETT

The judgment is affirmed.

RAYE, J.

We concur: SCOTLAND, Acting P.J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025391 CARLOS ALBERTO IGLESIA

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: SCOTLAND, J.
 NICHOLSON, J.

THURSDAY, JANUARY 29, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025043 ROGER DALE MITCHELL

The judgment is affirmed.

BLEASE, J.

We concur: PUGLIA, P.J.
SCOTLAND, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024999 RICKY RAMIREZ

The judgment is affirmed.

SIMS, Acting P.J.

I concur: DAVIS, J.
I concur in the result:
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026034 INOCENCIO RIOS SANCHEZ

The judgment is affirmed.

CALLAHAN, J.

We concur: DAVIS, Acting P.J.
RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025023 MICHAEL ANDRE TODD ET AL.

The judgment is modified to: (1) stay the sentence in count two against Buffer pursuant to section 654; and (2) strike the \$3,000 restitution fines imposed on both defendants pursuant to section 1202.45. The judgment is affirmed as modified. The court is ordered to amend each abstract of judgment to conform with the judgment as modified, and forward the amended abstracts to the Department of Corrections.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.
NICHOLSON, J.

THURSDAY, JANUARY 29, 1998 CONTINUED

Civil CANDYCE PERRY (Not for Publication)
No. vs.

C022068 JOHN PERRY
 MARY JANE SCHNEPF

The order is affirmed.

SCOTLAND, J.

We concur: DAVIS, Acting P.J.
 MORRISON, J.

Civil CANDYCE PERRY (Not for Publication)
No. vs.

C020115 JOHN PERRY
 MARY JANE SCHNEPF

The order requiring grandmother to pay for the costs of her grandchild's counseling is reversed. In all other respects, the orders from which grandmother appeals are affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 26(a).)

SCOTLAND, J.

We concur: DAVIS, Acting P.J.
 MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.

C024541 NICHOLAS BART ELLIS

The judgment is affirmed. The trial court is directed to correct the sentence and the abstract to reflect imposition of a life prison term with possibility of parole for defendant's attempted murder of a peace officer. The trial court is further directed to send a copy of the amended abstract of judgment to the Department of Corrections.

CALLAHAN, J.

We concur: PUGLIA, P.J.
 NICHOLSON, J.

THURSDAY, JANUARY 29, 1998

Civil JOY CLEARY (Not for Publication)
No. vs.
C023817 DEPARTMENT OF TRANSPORTATION
The judgment is affirmed.

SCOTLAND, J.

We concur: PUGLIA, P.J.
SIMS, J.

Civil In re the Marriage of ELLEN and JOHN AREIAS
No. ELLEN AREIAS (Not for Publication)
C026178 vs.
JOHN AREIAS
The judgment is affirmed.
CALLAHAN, J.
We concur: SCOTLAND, Acting P.J.
NICHOLSON, J.

FRIDAY, JANUARY 30, 1998

Crim. THE PEOPLE
No. vs.
C024462 LAURENCE EDWIN HARRIS
By the Court:
Respondent's petition for rehearing is denied.
Dated: January 30, 1998
BLEASE, Acting P.J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024118 EMILIO VASQUEZ
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: SIMS, J.
SCOTLAND, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025796 FORREST ROSS HART

The judgment is affirmed.

SIMS, Acting P.J.

We concur: DAVIS, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C022858 JOSEPH SAMUEL FAHLGREN

The judgment is affirmed.

SCOTLAND, J.

We concur: PUGLIA, P.J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025467 LENARD DEWAIN WEST

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
MORRISON, J.

Civil MERCY HEALTHCARE NORTH (Not for Publication)
No. vs.
C025713 SUPERIOR COURT OF SHASTA COUNTY
NORTHERN CALIFORNIA EMS, INC., ET AL.

Upon our decision becoming final, the stay previously issued is
vacated as moot. Mercy to recover its costs.

PUGLIA, P.J.

We concur: SCOTLAND, J.
MORRISON, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Civil ESTATE OF CURTIS BLACKWELL, DECEASED, ETC.
No. CHARLES BLACKWELL (Not for Publication)
C023860 vs.

GEORGIA IRVING ET AL.

.....In all other respects, the judgment is affirmed. Each party shall bear own costs on appeal.

RAYE, J.

We concur: DAVIS, Acting P.J.
 CALLAHAN, J.

Juvenile JACQUELINE C., (Not for Publication)
No. vs,

C028148 SUPERIOR COURT OF SACRAMENTO COUNTY
 SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
 HUMAN SERVICES ET AL.

Let a peremptory writ of mandate issue commanding respondent juvenile court to specify the factual vases both for its decision not to return the minor to the custody of her parents and for its conclusion that a return would be detrimental. The remainder of the petition is denied and the request for stay is denied as moot. This decision is final forthwith. (Cal. Rules of Court, rule 24(d).)

PUGLIA, P.J.

We concur: SIMS, J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.

C025684 WILLIAM EARL ROGERS

The judgment is affirmed.

NICHOLSON, Acting P.J.

We concur: MORRISION, J.
 CALLAHAN, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C022890 GLEN MICHAEL HOLLIDAY

The judgment is modified to provide for a sentence of an indeterminate term of 25 years to life in state prison for defendant's current possession of stolen property plus a consecutive determinate term consisting of 3 years for the probation violation plus two 1-year terms for section 667.5, subdivision (b), enhancements for a total term of 30 years to life. As modified, the judgment is affirmed. The trial court is directed to forward a corrected abstract of judgment to the Department of Corrections.

DAVIS, J.

I concur: PUGLIA, P.J.

I concur in the result.

BLEASE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025360 RAY DARNELL LYNN

The judgment is affirmed.

SCOTLAND, Acting P.J.

We concur: NICHOLSON, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024767 CHESTER MILROY HOLMES

The judgment is affirmed.

SCOTLAND, J.

We concur: PUGLIA, P.J.
BLEASE, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026187 DAVID EUGENE JACKSON

The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
DAVIS, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025640 LLOYD WAYNE GARRETT
The judgment is affirmed.
MORRISON, J.
We concur: NICHOLSON, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025068 BENNIE JAMES WAFER
The judgment is affirmed.
DAVIS, J.
We concur: SIMS, Acting P.J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C021206 JOSE ANTONIO PUGLISI
The judgment is affirmed.
PUGLIA, P.J.
We concur: RAYE, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025991 JOSE VARGAS BAUTISTA
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: SCOTLAND, J.
NICHOLSON, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024611 STEVE LYLE BOSICK

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C025606 GONZALO ACUNA

The second restitution fine that was imposed and suspended is stricken; otherwise, the judgment is affirmed.

MORRISON, J.

We concur: NICHOLSON, Acting P.J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C026714 RANDY EUGENE HORSLEY

The judgment is modified to reverse count two, one of the indecent exposure convictions. As modified, the judgment is affirmed. The superior court is directed to prepare a corrected abstract of judgment and send a certified copy of it to the Department of Corrections.

DAVIS, J.

We concur: PUGLIA, P.J.
SCOTLAND, J.

Crim. THE PEOPLE (Not for Publication)
No. vs.
C024884 WESLEY THOMAS FIGHERA

The judgment of conviction regarding three of defendant's four sections 12021, subdivision (a)(1), convictions is reversed; in all other respects, the judgment is affirmed.

RAYE, J.
CALLAHAN, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Juvenile In re BENJAMIN H., A Person under the Juvenile Court Law
No. THE PEOPLE (Not for Publication)
C025540 vs.
BENJAMIN H.

The judgment is affirmed. The juvenile court is directed to prepare an amended order committing the minor to CYA, showing the offense of Penal Code section 597, subdivision (a) is a felony, and to forward a copy of the amended order to the Director of CYA.

SCOTLAND, J.

We concur: PUGLIA, P.J.
MORRISON, J.

Civil BRUCE F. BORAAS (Not for Publication)
No. vs.
C025428 ARQUELLE FRASSE ET AL.

The judgment is affirmed.

DAVIS, J.

We concur: PUGLIA, P.J.
CALLAHAN, J.

Juvenile DEBRA H. (Not for Publication)
No. vs.
C028203 SUPERIOR COURT OF YUBA COUNTY
YUBA COUNTY CHILD PROTECTIVE SERVICES ET AL.

The petition and request for a stay are denied.

PUGLIA, P.J.

We concur: BLEASE, J.
CALLAHAN, J.

Crim. In re MYRON WEBB (Not for Publication)
No. ON HABEAS CORPUS
C026372

The judgment (order) is reversed.

BLEASE, Acting P.J.

We concur: SCOTLAND J.
NICHOLSON, J.

FRIDAY, JANUARY 30, 1998 CONTINUED

Civil STEPHEN W. ROBERTS ET AL. (Not for Publication)
No. vs.

C023085 GARY J. DRISCOLL ET AL.
C023437 STEPHEN W. ROBERTS ET AL.
 vs.

GARY J. DRISCOLL ET AL.

The judgment and orders awarding sanctions are affirmed.
PUGLIA, P.J.

We concur: BLEASE, J.
 RAYE, J.

Civil CINDY TERESI (Not for Publication)
No. vs.

C024729 CREATIVE FRONTIERS ELEMENTARY, ETC., ET AL.

The judgment is affirmed. The parties shall bear their own costs on
appeal.

NICHOLSON, Acting P.J.

I concur: MORRISON, J.

I would reverse the judgment. Plaintiff shall recover costs on appeal.
CALLAHAN, J.

MONDAY, FEBRUARY 2, 1998

Juvenile ESPERANZA F. (Not for Publication)
No. vs.

C028244 SUPERIOR COURT OF SISKIYOU COUNTY
SISKIYOU COUNTY DEPARTMENT OF HUMAN SERVICES ET AL.

The petition is denied. The request for stay is denied as moot.
PUGLIA, P.J.

We concur: BLEASE, J.
 CALLAHAN, J.

MONDAY, FEBRUARY 2, 1998 CONTINUED

Juvenile TARA H. (Not for Publication)
No. vs.
C028230 SUPERIOR COURT OF SACRAMENTO COUNTY
SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN
SERVICES ET AL.

The petition and request for a stay are denied.

PUGLIA, P.J.

We concur: BLEASE, J.
CALLAHAN, J.

TUESDAY, FEBRUARY 3, 1998

Civil ROBERT B. MCFARLANE
No. vs.
C026499 DEAN R. DUNPHY ET AL.

By the Court:

Appellant's petition for rehearing is denied.

Dated: February 3, 1998

SCOTLAND, Acting P.J.

Civil JACQUELINE F. WILLIAMS (Not for Publication)
No. vs.
C024070 MERCY GENERAL HOSPITAL ET AL.

The judgment is affirmed. Respondents shall recover their costs on
appeal.

NICHOLSON, Acting P.J.

We concur: MORRISON, J.
CALLAHAN, J.

Juvenile RUTH S. (Not for Publication)
No. vs.
C028285 SUPERIOR COURT OF SACRAMENTO COUNTY
SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN
SERVICES ET AL.

The petition is denied.

PUGLIA, P.J.

We concur: BLEASE, J.
CALLAHAN, J.

WEDNESDAY, FEBRUARY 4, 1998

Crim. THE PEOPLE (Not for Publication)

No. vs.

C024837 CAROL ANN PATTON

MICHAEL ABOUAF

The orders imposing sanctions on appellant (including requiring him to repay fees to Patton) are vacated. The order dismissing appellant as counsel in Lassen County case No. CR010132 is affirmed. Appellant shall bear his own costs on appeal.

SIMS, Acting P.J.

We concur: SCOTLAND, J.
CALLAHAN, J.

Crim THE PEOPLE (Not for Publication)

No. vs.

C025943 RICKY JAY KNOX

The judgment is affirmed.

NICHOLSON, Acting P.J.

We concur: MORRISON, J.
CALLAHAN, J.

Civil RONALD O. GANN ET AL. (Not for Publication)

No. vs.

C025032 BISHOP COMMERCIAL INVESTMENTS ET AL.

The judgment is affirmed.

NICHOLSON, Acting P.J.

I concur: CALLAHAN, J.

I concur in the result:

BLEASE, J.

WEDNESDAY, FEBRUARY 4, 1998 CONTINUED

Civil DOROTHY G. IRONSON (Not for Publication)
No. vs.
C026096 WESTBURN SUPPLY, INC. ET AL.
 PURCELL PLUMBING, INC.
 INTERNATIONAL ASSOCIATION OF PLUMBING AND
 MECHANICAL OFFICIALS

The judgment is affirmed. Defendants and cross-defendant shall
recover their costs on appeal.

SIMS, P.J.

We concur: BLEASE, Acting P.J.
 RAYE, J.

THURSDAY, FEBRUARY 5, 1998

Crim. THE PEOPLE
No. vs.
C024675 WILLIAM DEON PROBY

By the Court:

Appellants' petition for rehearing is denied.

Dated February 5, 1998.

PUGLIA, P.J.

FRIDAY, FEBRUARY 6, 1998

Civil HAROLD WAGNER ET AL.
No. vs.
C026086 STANLEY TACHEIRA ET AL.
C027459 HAROLD WAGNER ET AL.
 vs.
 STANLEY TACHEIRA ET AL.

By the Court:

On the court's own motion, the above cases are consolidated. The cases are ordered consolidated for all further appellate procedures except that they will retain their respective case numbers. Whenever documents are submitted for filing by the parties, an original must be presented for each case number; however, if copies of documents are required pursuant to the California Rules of Court, the parties need only submit a maximum of four. The cases will be considered for decision together.

Appellants' combined reply brief is due on or before
February 25, 1998.

PUGLIA, P. J.

MONDAY, FEBRUARY 9, 1998

Civil CINDIE LEE DURBIN
No. vs.
C027674 USAA GROUP ET AL.

By the Court:

Appellant's petition for rehearing is denied. This court's order dated January 8, 1998, is corrected to read: "Respondents' motion to dismiss the appeal is granted as the appeal was untimely filed. The appeal filed September 24, 1997, is dismissed."

DATED February 9, 1998

PUGLIA, P.J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C022126 ROBERT WILLIAM MIRANDA

The judgment is affirmed.

SCOTLAND, J.

We concur: DAVIS, J.
 MORRISON, J.

MONDAY, FEBRUARY 9, 1998 CONTINUED

Crim THE PEOPLE (Not for Publication)
No. vs.
C024901 RAUL CASTELLANOS

The judgment is affirmed.

BLEASE, J.

We concur: PUGLIA, P.J.
SCOTLAND, J.

TUESDAY, FEBRUARY 10, 1998

Civil CALIFORNIANS FOR POLITICAL REFORM FOUNDATION
No. vs. (Certified for Publication)
C026314 FAIR POLITICAL PRACTICES COMMISSION

The judgment and the post-judgment order awarding plaintiff costs and attorney fees are reversed. The matter is remanded to the trial court with directions to enter judgment denying the petition. The Commission shall receive its costs on appeal.

PUGLIA, P. J.

We concur: DAVIS, J.
MORRISON, J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C025562 ANDY LARANCE SMITH

The judgment is affirmed.

NICHOLSON, J.

We concur: PUGLIA, P.J.
SIMS, J.

Juvenile In re WILFORD LEON L., III., A Person coming under the Juvenile Court
No. Law (Not for Publication)
C027034 THE PEOPLE

vs.
WILFORD LEON L., III
The judgment is affirmed.

NICHOLSON, J.

We concur: PUGLIA, P. J.
SIMS, J.

TUESDAY, FEBRUARY 10, 1998 CONTINUED

Crim THE PEOPLE (Not for Publication)
No. vs.
C024438 WILLIAM THOMAS FOGLE
The judgment is affirmed.
SIMS, Acting P.J.
We concur: NICHOLSON, J.
RAYE, J.

Civil CHARLES W. GARRISON (Not for Publication)
No. vs.
C025868 FRANCHISE TAX BOARD
The judgment is affirmed.

SIMS, Acting P.J.

We concur: NICHOLSON, J.
CALLAHAN, J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C26466 GAYLAN DAWANE PONCIANO
The judgment is affirmed.
RAYE, J.
We concur: SIMS, Acting P.J.
MORRISON, J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C025592 TERENCE JOSEPH COLEMAN

The convictions and special findings are affirmed, the sentence is vacated and the matter is remanded for the trial court to consider in its discretion whether to impose consecutive or concurrent terms for robbery, mayhem and felony assault and to resentence defendant accordingly, including the imposition of consecutive five year terms for each proven serious felony conviction allegation and imposition of sentence for felony battery, service of the latter sentence to be stayed pending service of the unstayed portion of defendant's term, said stay then to become permanent.

PUGLIA, P.J.

We concur: DAVIS, J.
 MORRISON, J.

TUESDAY, FEBRUARY 10, 1998 CONTINUED

Civil CONNIE L. RAMOS (Not for Publication)
No vs.
C025318 CALIFORNIA OUTLOOK PUBLISHING, INC.
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: SCOTLAND, J.
NICHOLSON, J.

Crim THE PEOPLE (Certified for Partial Publication)
No. vs.
C024734 CLIFFORD BRADLEY THOMPSON

The judgment is modified to stay on of the one year enhancements, to reduce the Penal Code section 1202.4 restitution fine from \$2,200 to \$2,000 and to strike the Penal Code section 1202.45 fine and Government Code section 29550.2 fine. The superior court is directed to prepare a new abstract of judgment in accordance with our opinion and forward it to the Department of Corrections. In all other respects the judgment is affirmed

RAYE, J.

We concur: SIMS, Acting P.J.
NICHOLSON, J.

Juvenile
No.
C027478

In re MARIO E., Person coming under the Juvenile Court Law
SAN JOAQUIN COUNTY HUMAN SERVICES AGENCY
vs.
SABRILLA H.

The orders denying appellant's section 388 petition and terminating her parental rights are affirmed.

PUGLIA, P.J.

We concur: DAVIS, J.
NICHOLSON, J.

Crim THE PEOPLE (Not for Publication)
No. vs
C026628 GARY LAVERNE MITCHELL
The judgment is affirmed.
SIMS, J.
We concur: PUGLIA, P. J.
NICHOLSON, J.

WEDNESDAY, FEBRUARY 11, 1998

Crim THE PEOPLE (Not for Publication)
No. vs.
C025559 CLYDE ARCENEUX

The judgment is affirmed.

DAVIS, Acting P.J.

We concur: RAYE, J.
 CALLAHAN, J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C025244 DERRICK JAMES FRANKLIN

The convictions are affirmed, but the sentence is vacated and this matter is remanded to the trial court for resentencing in accordance with this opinion.

NICHOLSON, J.

We concur: PUGLIA, P.J.
 CALLAHAN, J.

Crim THE PEOPLE (Not for Publication)
No. vs.
C026279 HEINZ POHLMANN

The judgment (order) is reversed. The trial court is directed to vacate the judgment of conviction and permit defendant to withdraw the plea of guilty and enter a plea of not guilty. Should defendant elect not to withdraw his plea, the court shall reinstate the judgment previously imposed.

MORRISON, J.

We concur: SIMS, Acting , P.J.
 RAYE, J.

Civil In re MICHAEL K., A Minor coming under the Juvenile Court Law
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES
C026829 vs.
 PRICILLA K.

The orders of the juvenile court are affirmed.

DAVIS, J.

We concur: PUGLIA, P.J.
 SCOTLAND, J.

WEDNESDAY, FEBRUARY 11, 1998 CONTINUED

Crim THE PEOPLE (Certified for Partial Publication)
No. vs.
C025164 DAVID RIZO

 The judgment is affirmed. (CERTIFIED FOR PARTIAL
PUBLICATION.

MORRISON, J.

We concur: NICHOLSON, Acting P.J.
 CALLAHAN, J.

FRIDAY, FEBRUARY 13, 1998

Crim THE PEOPLE (Not for Publication)
No. vs.
C024747 MARY ANN VANDEGRIFT ET AL.

 The judgments are affirmed.

CALLAHAN, J.

We concur: NICHOLSON, J.
 RAYE, J.